

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:09CR3089
Plaintiff,)	
)	
v.)	
)	MEMORANDUM AND ORDER
STEVEN J. GRAY,)	
)	
Defendant.)	

The government's brief in response to the defendant's motion to suppress, (filing no. [19](#)), raises two defenses: 1) collateral estoppel, and 2) the good faith exception to the exclusionary rule set forth in [United States v. Leon, 468 U.S. 897, 906 \(1984\)](#). The defendant's brief did not raise or address either of these arguments, and the merits of the government's defenses may determine if an evidentiary hearing is warranted and, if held, the appropriate parameters of that hearing. Accordingly,

IT IS ORDERED that on or before October 28, 2009, the defendant shall file a brief addressing the collateral estoppel and Leon good faith arguments raised by the government in response to the defendant's pending motion to suppress, (filing no. [19](#)).

DATED this 14th day of October, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge